

SN. 10/658,599

ATTORNEY DOCKET NO. FUJI:276

REMARKS

Claims 1-20 remain pending in this application for which applicant seeks reconsideration.

Amendment

Claims 1, 5-8, and 18 have been amended. Specifically, independent claim 1 has been amended to incorporate part of claim 5, namely defining the patterning step. Claims 5-8 have been amended to reflect changes made in claim 1. Claim 18 has been amended to depend from claim 1. The title has been amended to more closely reflect the claimed invention. No new matter has been introduced.

Art Rejection

Claim 18 was rejected under 35 U.S.C. § 102(e) as anticipated by Yanagi (USP 6,821,869). Claims 1-3, 5-7, 10, 12-15, 17, and 20 were rejected under 35 U.S.C. § 103(a) as unpatentable over Yanagi in view of Kumar (USP 6,696,365). Claims 9-11 were rejected under § 103(a) as unpatentable over Yanagi in view of Kumar and Groeche (USP 5,021,121). Finally, claims 4, 8, 16, and 19 were rejected under § 103(a) as unpatentable over Yanagi in view of Kumar and Odagawa (USP 6,778,427). Applicant traverses these rejections, at least to the extent that the applied references would not have taught the subject matter, namely forming a photoresist film on and in contact with a SiO₂ film, as set forth in claims 5-8.

Claim 1 (and original claims 5-8) now defines the patterning steps as forming a photoresist film on and in contact with the SiO₂ film, patterning the photoresist film corresponding to the predetermined magnetic pattern, developing the photoresist film to form a photoresist mask for etching the SiO₂ film, and etching the SiO₂ to form a pattern of SiO₂ film corresponding to the predetermined magnetic pattern.

Yanagi discloses directly forming a photoresist film on and in contact with the substrate. Yanagi thus fails to disclose a SiO₂ resist film formed between the substrate and the photoresist film, as correctly assessed by the examiner. The examiner relied on Kumar for the proposition that providing a SiO₂ resist film in Yanagi as claimed would have been obvious. Applicant disagrees.

Kumar indeed discloses forming a SiO₂ on a silicon substrate. But Kumar calls for adding a silicon nitride layer, a polysilicon hard mask layer, and antireflection coating between the SiO₂ layer and the photoresist layer. Accordingly, the combination would not have taught forming a photoresist layer on and in contact with the SiO₂ layer, as set forth in claim 1. Rather,

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Kumar would have taught away from directly forming a photoresist layer in contact with the SiO₂ resist film.

All other applied references, namely Groeche and Odagawa, also would not have alleviated Yanagi/Kumar's shortcomings.

Conclusion

Applicant submits that claims 1-20 patentably distinguish over the applied references and are in condition for allowance. Should the examiner have any issues concerning this reply or any other outstanding issues remaining in this application, applicant urges the examiner to contact the undersigned to expedite prosecution.

Respectfully submitted,

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05 JULY 2005

DATE

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REG. NO. 34,079 (RULE 34, WHERE APPLICABLE)

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